

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Ray Green,

Plaintiff,

vs.

George Sink, P.A. Injury Lawyers, Laura
Jones, Katie French, and Amy Erkman,

Defendants.

**DEFENDANTS' NOTICE OF
REMOVAL**

TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, CHARLESTON DIVISION; THE CIRCUIT COURT FOR CHARLESTON COUNTY, SOUTH CAROLINA; AND ALL PARTIES:

1. Please take notice that Defendants George Sink, P.A. Injury Lawyers, and Laura Jones ("Defendants"), pursuant to 28 U.S.C. §§ 1331, 1367, 1441 and 1446, hereby remove the above-entitled action from the Court of Common Pleas for Charleston County, State of South Carolina, to the United States District Court for the District of South Carolina, Charleston Division.

2. This action was instituted by Plaintiff against Defendant Sink by service of the Summons and Complaint via U.S.P.S certified mail on June 25, 2019, and on Defendant Jones on June 24, 2019. Defendants Katie French and Amy Erkman have not yet been served with process. This action is pending in the Court of Common Pleas of Charleston County, State of South Carolina, under Case Number 2019-CP-10-2391.

3. The undersigned represents Defendants Sink and Jones in this action.

4. The Notice of Removal is filed within thirty (30) days of service pursuant to 28 U.S.C. § 1446(b)(1). A copy of the attached Summons and Complaint constitute all process and

pleadings served in this action (Exhibit A).

5. Defendants are entitled to removal of the aforesaid civil action to this Court on the grounds of federal question jurisdiction. Plaintiff's Complaint alleges causes of action for race and gender discrimination and hostile work environment in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000, *et seq.*. Therefore, this Court has federal question jurisdiction pursuant to 28 U.S.C. § 1331.

6. Pursuant to 28 U.S.C. § 1441(c), Plaintiff's additional defamation and civil conspiracy claims under South Carolina law, may be removed with the entire case, and the District Court may determine all issues therein. This Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367(a), as those claims are part of the same case or controversy alleged in Plaintiff's complaint.

7. Defendants submit this Notice of Removal without waiving any defenses to the claims asserted by Plaintiff or conceding that Plaintiff has pled claims upon which relief can be granted.

8. Defendants will timely provide a copy of the Notice of Removal to the Clerk of Court for Charleston County.

9. By copy of this Notice of Removal, and in accordance with the attached Certificate of Service, Defendants are providing notice to Plaintiff in this action and advising Plaintiff of this filing pursuant to 28 U.S.C. § 1446(d).

10. Defendants have simultaneously served herewith their responses to Local Rule 26.01 Interrogatories. Defendants will timely file their response to the Complaint pursuant to Rule 81(c)(2)(C) of the Federal Rules of Civil Procedure.

11. In the event any question arises as to the propriety of removal of this action, Defendants reserve the right to amend or supplement this Notice of Removal, and further request the opportunity to present briefs, oral arguments and, if necessary, affidavits and other evidence in support of their position that removal is proper.

WHEREFORE, pursuant to 28 U.S.C. §§ 1331, 1367, 1441 and 1446, Defendants hereby remove this matter from the Court of Common Pleas for Charleston County, South Carolina, into this Court for trial and determination.

s/Molly Hughes Cherry

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ATTORNEYS FOR DEFENDANTS

GEORGE SINK, P.A. INJURY LAWYERS AND

LAURA JONES

July 23, 2019

Charleston, South Carolina

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing DEFENDANTS' NOTICE OF REMOVAL has been served upon the following by placing the same in the United States mail, first class postage prepaid, addressed to the following as shown below this 23rd day of July, 2019:

Ray Green
4747 Lambs Road
Apt. 21J
North Charleston, SC 29418

PRO SE PLAINTIFF

s/Molly Hughes Cherry
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